

To learn more about the

MICHIGAN SPECIAL EDUCATION MEDIATION PROGRAM

or to schedule mediations or facilitations,
contact the Community Dispute Resolution
Program center nearest you.



**Call 1-800-8RESOLVE
(1-800-873-7658)**

For additional information visit:
www.courts.michigan.gov/scao/dispute

or contact:

Michigan Special Education Mediation Program
State Court Administrative Office

P.O. Box 30048 • Lansing, MI 48909
Phone: 517.373.4839 • Fax: 517.373.8922

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MICHIGAN SPECIAL EDUCATION MEDIATION PROGRAM



...providing parents and
schools with Special
Education Dispute
Resolution services **FREE** of
charge in every county
throughout Michigan.

Call 1-800-8RESOLVE

MICHIGAN SPECIAL EDUCATION MEDIATION PROGRAM

Has a dispute arisen about special education? Are you headed into a difficult IEP team meeting? If so, the Michigan Special Education Mediation Program can help you. Issues which arise between parents of students with disabilities and school personnel are often challenging. Although everyone wants the best education program for each student, not everyone always agrees on what is best.

A PARENT SAYS:

*"Thank you for being so
attentive and polite as we
worked through our differences
with our school district."*

How can facilitation help an IEP team meeting?

- Facilitation is a voluntary process where neutral persons (facilitators) assist meeting participants in communicating effectively.
- The facilitator's role includes making sure everyone is heard and keeping the meeting focused on the IEP issues.
- Facilitating the IEP team meeting provides early dispute resolution, before a potential conflict has time to escalate and become more difficult to resolve.

Why use mediation for special education disputes?

- Mediation provides an alternative to traditional more formal adversarial processes such as the complaint investigation process, due process hearings, appeals or lawsuits.
- Mediation allows two or more people involved in a dispute to voluntarily meet in an informal, confidential setting to work out a solution to their dispute with the assistance of trained neutral persons (mediators).
- Mediation offers the opportunity for the parties to participate in resolving their dispute rather than having it decided for them by another party.

**For more
information
dial
1-800-8RESOLVE.**

A PRINCIPAL SAYS:

"The process was helpful to all involved. The mediation created a more cooperative setting and a more calm setting."

Are you trying to decide if mediation is right for you?

Mediation can help if you have disputes about these kinds of issues:

ELIGIBILITY for special education programs/services — whether the student’s characteristics meet the criteria for being a student with a disability.

EVALUATION — whether the parents and the school agree on the results of the school’s evaluation and/or whether an independent evaluation should be conducted.

TYPE or **AMOUNT** of special education services proposed for the student — whether the programs/services are appropriate to meet the educational needs of the student.

COMPLAINTS about how special education services are or are not being provided.

COMMUNICATION or **RELATIONSHIPS** need improvement.

MULTIPLE ISSUES need resolution.

Here’s what will happen during mediation.

During mediation, all parties describe the dispute from their point of view. The mediators help the parties focus on issues and generate settlement options. If an agreement is reached, the terms are put in writing, signed by all parties, and when appropriate, incorporated into the student’s IEP. Approximately 80% of all special education mediations result in an agreement.

What role can special education advocates or lawyers play in the mediation process?

Due to the complexity of special education issues, parties are encouraged to consult with advocates or lawyers to prepare for the mediation session. In addition, advocates and lawyers may attend the session to help parties evaluate potential solutions.

When should a facilitator be requested for an IEP team meeting?

- Parents or school personnel feel apprehensive about an upcoming meeting.
- Participants want to focus on the issues at the meeting rather than concentrating on running a meeting smoothly.
- Communication among the parents and school personnel begins to become strained.

For more information dial 1-800-8RESOLVE.

I think I’d like to try mediation or facilitation, but I still have a few questions.

Who are the mediators/facilitators?

Michigan Special Education Mediation Program (MSEMP) mediators/facilitators:

- complete 40 hours of mediation training
- fulfill a 10 hour internship
- mediate at least 25 hours of non-special education disputes
- complete 16 hours of advanced mediation training in special education matters
- attend a day long update training on mediation/facilitation skills and special education issues once every two years
- are listed on the MSEMP Roster of Approved Mediators
- volunteer their time to provide these services

Mediators/facilitators do not act as judges or hearing officers. They do not decide who is right or wrong. Rather, as neutrals, they help identify solutions to problems that all parties can accept.

How is the mediation/facilitation process started?

When you contact a mediation center requesting mediation or facilitation, the center staff then contacts the other party(ies) involved in the situation. If requested, center staff will make referrals to other agencies to help everyone prepare for the mediation/facilitation session. Once everyone agrees to participate, you jointly decide on a date, time, and location to meet. The center staff will then assign neutral and experienced special education mediators/facilitators. If necessary, more than one session can be scheduled to allow sufficient time to address all issues.

"The facilitators were excellent. Both are clearly invested in this process. Both have great people skills, and understanding of school and parent’s perspectives."

- Independent Consulting Clinical Psychologist

Who funds mediation/facilitation?

- The Michigan Supreme Court, State Court Administrative Office (SCAO) administers Michigan’s Community Dispute Resolution Program (CDRP). CDRP, through the Michigan Special Education Mediation Program (MSEMP), provides mediation/facilitation of special education matters as one of its many dispute resolution services.
- Through MSEMP, mediation/facilitation services are FREE to parents and schools.
- These services are completely independent of the Michigan Department of Education (MDE), although federal funding does pass through MDE to help fund special education mediation/facilitation services.